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REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
PC9576D

In re Application of: Brian Scott Bronk, Michael Anthony Letavic

Application No.: 10/810,922

Filed: March 28, 2004

For: 4'-SUBSTITUTED-9-DEOXY-8A-AZA-8A-HOMOERYTHROMYCIN A DERIVATIVES

The owner, Pfizer Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,777,393 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 35,004

Thomas A. Wootton  
Signature

24 Feb 2005  
Date

Thomas A. Wootton  
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269-833-7814  
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